

IN THE CLAIMS:

Please CANCEL Claim 17 without prejudice to or disclaimer of the recited subject matter.

Please AMEND claim 13, as follows. All claims currently pending in this application are reproduced below for the Examiner's convenience.

1-12. (Canceled)

13. (Currently Amended) An apparatus for forming a pattern, said apparatus comprising:

a photomask for light exposure provided with both a first aperture having a minute width where a main component of [[a]] transmitted light is [[an]] evanescent light and a second aperture having a larger width than that of said first aperture where a main component of [[a]] transmitted light is [[a]] propagating light;

a sample stand for placing a substrate to be processed on which a photoresist with a film thickness equal to or smaller than a width of the first aperture is formed;

a stage for placing the photomask;

a light source for generating light for exposure; and

means for controlling a distance between the substrate to be processed and the photomask,

wherein said the width of said second aperture is smaller than a designed dimension of said photomask and the width of said second aperture is longer than a wavelength of light for exposure.

14. (Original) The apparatus according to claim 13, wherein the photomask comprises an elastic material as a mask material.

15. (Canceled)

16. (Previously Presented) The apparatus according to claim 13, wherein the width of said first aperture is shorter than a wavelength of light for exposure.

17. (Canceled)